

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

FIRST GUARANTY MORTGAGE
CORPORATION, *et al.*,¹

Liquidating Debtors.

Chapter 11

Case No. 22-10584 (CTG)

(Jointly Administered)

Re: D.I. 900

**ORDER GRANTING MOTION OF THE PIMCO PARTIES TO ENFORCE THE
CHAPTER 11 PLAN AND CONFIRMATION ORDER**

Upon the motion [D.I. 900] (the “Motion”)² of the PIMCO Parties to enforce the Plan and Confirmation Order; and this Court having jurisdiction and authority to decide the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157(a)-(b) and 1334(b), the *Amended Standing Order of Reference from the United States District Court for the District of Delaware*, dated February 29, 2012, Section 18 of the Plan, and Paragraph 53 of the Confirmation Order; and upon consideration of the Motion; and the requested relief being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court finding that due and proper notice of the Motion having been given; and this Court having reviewed the Motion and any related pleadings; and upon all of the proceedings heard before this Court; and this Court having determined that the legal and factual bases set forth in the Motion, the related pleadings and proceedings before this Court establish just cause for the relief

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s tax identification number in the jurisdiction were: First Guaranty Mortgage Corporation (9575); and Maverick II Holdings, LLC (5621). The service address for First Guaranty Mortgage Corporation is 13901 Midway Road, Ste. 102-334, Dallas, Texas 75244. All references herein to “Debtors” also include Liquidating Debtors, as applicable or as context may require.

² Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the Motion.

granted herein; and after due deliberation and sufficient cause appearing therefore, and for the reasons set forth on the record during the September 5, 2023 hearing, it is hereby ORDERED THAT:

1. The Motion is granted as set forth herein.
2. Any and all claims, causes of action, liabilities, remedies, and/or theories relating to alter ego, veil piercing, and/or any form of vicarious liability, including those asserted in the Qui Tam Litigation, against any of the PIMCO Parties (collectively, the “Released Claims”) were the property of, and belonged to, the Debtors’ estates as of the Petition Date pursuant to section 541(a) of the Bankruptcy Code.
3. In accordance with the Plan and the Confirmation Order, the Debtors have conclusively, absolutely, unconditionally, irrevocably, and forever released the Released Claims.
4. In accordance with the Plan and the Confirmation Order, Relator, and all other persons, are enjoined, barred, and estopped from asserting, pursuing or prosecuting the Released Claims in any forum, including in the Qui Tam Litigation, and Relator is hereby directed to immediately cease and refrain from any further acts to commence or continue, in any manner or in any place, any action, or other proceeding, including the Qui Tam Litigation, to prosecute, assert, or enforce the Released Claims asserted against the PIMCO Parties.
5. Relator is directed to take all actions necessary to dismiss the Released Claims from the Qui Tam Litigation without prejudice to the rights of Relator with respect to any claim that may be asserted consistent with the terms of the Plan, Confirmation Order and this Order.
6. The PIMCO Parties are authorized to take all actions necessary or appropriate to implement the relief granted in this Order.
7. The terms and conditions of this Order shall be effective immediately and enforceable upon its entry.

8. This Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Dated: September 5th, 2023
Wilmington, Delaware



CRAIG T. GOLDBLATT
UNITED STATES BANKRUPTCY JUDGE